

ORIGINAL

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK by ELIOT SPITZER, Attorney General of the State of New York,

Plaintiff,

against-

COVENTRY FIRST LLC, MONTGOMERY CAPITAL, INC., THE COVENTRY GROUP, INC., and REID S. BUERGER,

Defendants.

Index No.: 404620/06

**NOTICE OF MOTION TO
DISMISS THE COMPLAINT
BY DEFENDANTS COVENTRY
FIRST LLC AND REID S. BUERGER**

ORAL ARGUMENT REQUESTED

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendants' Joint Motion to Dismiss, Defendants Coventry First LLC and Reid S. Buerger (collectively, "Defendants") will move this Court at 60 Centre Street, Room 148, New York, New York, on February 7, 2007, at 9:30 a.m., or as soon thereafter as counsel may be heard, for an Order, pursuant to Civil Practice Law and Rule 3211(a)(7), granting Defendants' joint motion to dismiss the complaint in the above-captioned matter, in its entirety, for failure to state causes of action AND granting such other and further relief as the Court may deem just and proper, including the costs and disbursements of this action.

Pursuant to CPLR § 2214(b), answering papers, if any, are required to be served upon the undersigned at least seven days before the return date of this motion.

Dated: December 19, 2006

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Respectfully submitted,

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